

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VLSI TECHNOLOGY LLC,  
  
Plaintiff,  
  
v.  
  
INTEL CORPORATION,  
  
Defendant.

CASE NO. 5:17-cv-05671-BLF

**[PROPOSED] ORDER TO COMPEL  
VLSI TO SUPPLEMENT ITS DAMAGES  
CONTENTIONS**

Having considered the submissions and arguments of the parties, the Court orders Plaintiff VLSI Technology LLC to supplement its June 21, 2018 Patent L.R. 3-8 Damages Contentions within 14 calendar days to describe with specificity the bases for its damages claim, including:

1. An identification and explanation of each specific damages theory that VLSI intends to pursue.
2. All facts known to VLSI that support each such damages theory.
3. All calculations known to VLSI on which VLSI bases each such damages theory.
4. If VLSI contends that damages should be calculated by multiplying a royalty base by a royalty rate, (i) an explanation of VLSI's alleged royalty base and all facts and documents that allegedly support such base; and (ii) an explanation of VLSI's alleged royalty rate and all facts and documents that allegedly support such rate.
5. If VLSI contends that damages should be determined using patent license or transfer agreements, (i) the identity of the specific agreements on which VLSI relies; (ii) an explanation of how the payments set forth in the agreements support VLSI's damages claim; and (iii) an explanation of VLSI's bases for contending that the agreements are comparable to a hypothetical license to the asserted patents.
6. If VLSI contends that damages should be determined using some other method: (i) a description of the method; (ii) all facts known to VLSI that support such method; (iii) all calculations known to VLSI that support such method; (iv) all documents that support such method; and (v) an explanation of any other evidence or methods known to VLSI for quantifying the value of the asserted patents.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Hon. Nathanael M. Cousins  
UNITED STATES MAGISTRATE JUDGE